

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$50,710.00 U.S. CURRENCY,

Defendant.

NO. CV-11-081-EFS

**FINAL JUDGMENT OF FORFEITURE**

Before the Court, without oral argument, is the United States Attorneys' Office's (USAO) Motion for Entry of Default Judgment of Forfeiture, ECF No. 18. The USAO filed its Verified Complaint for Forfeiture *In Rem* on February 25, 2011, seeking forfeiture of the Defendant property. ECF No. 1. On March 30, 2011, the U.S. Marshals Service executed the Warrant of Arrest *In Rem*; the returned warrant was filed with the Court on April 15, 2011. ECF No. 6. On April 20, 2011, Tri Thanh Nguyen and attorney Khanh C. Tran were served, via certified mail, with a copy of the Verified Complaint for Forfeiture *In Rem*, ECF No. 1, Warrant of Arrest *In Rem*, ECF No. 6, and Notice of Complaint for Forfeiture, ECF No. 7-1, which specifies the claim requirements under Supplemental Rule for Admiralty or Maritime Claims and Asset Forfeiture

1 Actions G(5), and specifically states the claim deadline. ECF No. 7.  
2 Based on the April 20, 2011 direct notice service date, the last date to  
3 file a timely claim was May 23, 2011. ECF No. 7-1. To date, no claim  
4 or response has been received from Tri Thanh Nguyen.

5 On April 25, 2011, Mai Truc was served, via certified mail, in care  
6 of attorney Frederick Whang, with a copy of the Verified Complaint for  
7 Forfeiture In Rem, ECF No. 1, Warrant of Arrest In Rem, ECF No. 6, and  
8 Notice of Complaint for Forfeiture, ECF No. 8-1, which specifies the  
9 claim requirements under Supplemental Rule G(5), and specifically states  
10 the claim deadline. ECF No. 8. Based on the April 25, 2011 direct  
11 notice service date, the last date to file a timely claim was May 30,  
12 2011. ECF No. 8-1. To date, no claim or response has been received  
13 from Mai Truc.  
14

15 In accordance with Supplemental Rule G(4)(a)(iv)(C), notice was  
16 posted on an official government website, [www.forfeiture.gov](http://www.forfeiture.gov), beginning  
17 on March 24, 2011. ECF No. 8. Based upon the internet publication start  
18 date of March 24, 2011, the last date to file a timely claim was May 23,  
19 2011. No valid or timely claim of interest has been received or filed  
20 with the Court from Tri Thanh Nguyen, Mai Truc, or from any other person  
21 or entity, and the time allowed for filing of such a claim has expired.  
22

23 On June 7, 2011, the USAO filed its Motion[s] for Default, ECF Nos.  
24 9 & 10, which were served via certified mail, return receipt requested,  
25 upon Tri Thanh Nguyen, in the care of attorney Khanh C. Tran, and upon  
26 Mai Truc, in care of attorney Frederick Whang.

1 On June 24, 2011, the USAO filed its Motion[s] for Default, ECF Nos.  
2 [12](#) & [14](#), which were served via certified mail, return receipt requested,  
3 upon Tri Thanh Nguyen, in care of attorney Khanh C. Tran, and upon Mai  
4 Truc, in care of attorney Frederick Whang. Clerk's Orders of Default  
5 were entered by the Clerk on June 24, 2011. ECF Nos. [16](#) & [17](#).

6 Accordingly, **IT IS HEREBY ORDERED:**

7  
8 1. The USAO's Motion for Entry of Default Judgment of Forfeiture,  
9 **ECF No. [18](#)**, is **GRANTED**.

10 2. Pursuant to 21 U.S.C. § 881(a)(6), the Defendant \$50,710.00 U.S.  
11 Currency is forfeited to the United States of America, and no right,  
12 title, or interest in the Defendant currency shall exist in any other  
13 party.

14 3. The United States shall dispose of the above-described  
15 Defendant assets in accordance with law.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter  
17 this Order and to provide copies to all counsel.

18 **DATED** this 1st day of August 2011.

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20  
21 s/ Edward F. Shea  
22 EDWARD F. SHEA  
United States District Judge

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